IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 1197 OF 2005

IN

SUIT NO. 1861 OF 2002

RAISHI SHIVAJI CHHEDA & ORS. ... PLAINTIFFS.

VS.

DHIRAJLAL RAISHI CHHEDA & ORS. ... DEFENDANTS.

MR. Y.P.YADAV FOR THE APPLICANTS (ORIG.DEFTS.) IN SUPPORT.

MR. J.G.SHUKLA - RSPONDENT (ORIG. PLAINTIFFS) TO SHOW CAUSE.

CORAM : S.K.Shah, J.
DATE : February 2, 2006.

P.C. :

1. Perused the proposed amendments to the written statement as well as the proposed amendment to the counterclaim, which is incorporated in Schedule ’A’ and "B", respectively.

2. By consent of the parties, the amendment is allowed in respect of the written statement, as incorporated in Schedule "A" only in paragraph No. 73.1 and 73.3. The amendments as incorporated in paragraph No. 73.2 and 73.4 are rejected.

4. As regards the amendment to the counterclaim, by consent of the parties, the amendment as incorporated in Schedule "B" in Paragraph No. 57.1 and 57.3 are allowed. The proposed amendment incorporated in paragraph No. 57.3 and 57.4 are rejected.

5. The amendment incorporated in paragraph 2 to Schedule "B" is allowed.

6. Necessary amendments shall be carried out within two weeks from today and the amended copy of the plaint be served on the Plaintiffs within two weeks' thereafter.

7. The Plaintiff shall file reply/written statement to the counter claim, within six weeks from the service of the amended copy of the written statement and counter claim.

8. Chamber Summons is accordingly disposed of.

9. Matter to come up after ten weeks.

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(S.K.Shah, J.)